

CITY OF CONWAY, ARKANSAS

ANNEXATION GUIDELINES & PROCEDURES

Established through state statutes and the Conway City Ordinance O-99-95.

The City of Conway has typically annexed land through the petition process. This process, through state statute, requires submission of a petition (to the County Court) signed by more than half of the property owners and by owners of more than half the land area. The area to be annexed must be adjoining the city.

Procedure

1. The petition must be submitted to the County Court.
2. The County Court sets a public hearing date.
3. The petitioner must place a notice of public hearing in the *Log Cabin Democrat* **appearing once per week for three consecutive weeks**.
4. The County Court holds the public hearing and, if appropriate, releases the area to the City.
5. The petition is submitted to the Planning & Development department **no less than 17 days prior to the public hearing** (refer to attached schedule of meeting dates and submission deadlines). The following items must be submitted:
 1. A copy of the petition requesting annexation
 2. A non-refundable filing fee of \$325.00
 3. A copy of the plat of the proposed annexation
 1. No property will be annexed before all current configurations of parcels within the area have been identified. Upon annexation, only those parcels that are in compliance with the Subdivision Ordinance of the City of Conway shall be eligible for the issuance of building permits
 2. In order to ascertain the configuration of existing parcels of property, all applications for annexation will include a map of the area, drawn to scale showing the parcels and their ownership. The map will include:
 1. All subdivisions that have been approved by the Conway Planning Commission
 2. All subdivisions that were properly filed prior to the creation of the Planning Commission
 3. Any subdivisions that were created before the area was under the jurisdiction of the Conway Planning Commission
 4. For parcels that are not part of a legal subdivision, copies of deeds dated prior to July 1, 1986 showing the parcel in its current configuration must be submitted. If no deeds are available, parcels must be created through a legal subdivision or it must be established through deeds that the parcel was created at a time when it was not within the territorial jurisdiction of the City of Conway or those parcels will not be eligible for the issuance of building permits
 5. A copy of the legal description of the proposed annexation
 6. A copy of the order of the County Court releasing the proposed annexation
6. The City Council, if appropriate, adopts the ordinance annexing the area. If the County order of release is not available by the time the request for annexation is heard by the City Council, the City Council will, if appropriate, pass a resolution indicating the the City's intent to annex the property when it is released by the County.
7. The final ordinance must be published in the *Log Cabin Democrat*. The petitioner will be billed for the cost of the publication by the City Clerk.
8. **STREETS** - No property will be annexed to the City of Conway before it has been established in the annexing ordinance which portions of which streets within that property will be accepted as public streets for maintenance and which streets will be recognized as public streets for the sole purpose of allowing the issuance of building permits. No section of a street will be accepted for public maintenance unless the appropriate right-of-way, based on the Master Street

Plan, has been dedicated by the abutting property owners.

For the convenience of the petitioners, the City has followed the custom of allowing the petitioners to bring the proposed annexation to the City Council prior to filing it with the County.

1. The Planning Commission reviews the proposed annexation and makes a recommendation to the City Council. To be placed on the agenda, the procedures in numbers 5.1, 5.2, 5.3, and 6 above must be followed and accompanied by a copy of the resolution. **Planning Commission bylaws require a representative for each request to be present at the public hearing. If no representative is present the request will be held in committee.**
2. If appropriate, the City Council passes a resolution agreeing to annex the area if the County releases it. The petitioner is responsible for submitting any other supporting documents (such as plats or descriptions) as requested by the Planning Commission and/or City Council.

All items brought before the Conway Planning Commission must be submitted no later than 17 days prior to the meeting (see attached Planning Commission schedule). A meeting is held each month at 7:00 pm in the District Court Building located at 810 Parkway Street.

All annexed areas will be assigned an address that is in accordance with the City of Conway addressing system. County 2-digit addresses will be changed to City 4-digit addresses.

Note: This is not an exhaustive guideline regarding annexations. Appropriate state statutes, county and city ordinances, and resolutions will provide additional information.

Checklist of Items for Rezoning Application

- ☐ **Petition for Annexation** - filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- ☐ **Filing fee of \$325** - paid at the Planning & Development department no later than 17 days prior to the public hearing. Make checks payable to City of Conway.
- ☐ **Plat of Proposed Annexation** - filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- ☐ **Legal Description of the Proposed Annexation Area** - filed with the Planning & Development Department no later than 17 days prior to the public hearing.
- ☐ **Identification of Parcels** - filed with the Planning & Development Department no later than 17 days prior to the public hearing. Refer to 'Procedure' items 5.3 and 5.4.
- ☐ **Copy of the County Court Order of Release** - Must be filed with the Planning and Development by 10:00am on Tuesday of the week preceding the City Council Meeting.

PETITION OF ANNEXATION
Conway Planning Commission
City of Conway, Arkansas

_____ hereby petitions the City of Conway, Arkansas for annexation
name of petitioner
of the following lands into the City of Conway.

[enter legal description]

And requests the property to be zoned _____ upon annexation.
desired zoning classification

All petitioners must sign

Name _____

Address _____

City, State, Zip _____

By _____

[Sample Petition for **Annexation to be submitted to the County Court of Faulkner County, Arkansas.**
Final copy should be typewritten]

(Name) _____

No. _____

PETITION OF ANNEXATION

_____ for its petition for annexation of certain lands unto the City
name of petitioner
of Conway, Arkansas, states:

1. Petitioner is the owner of the following described lands in Faulkner County, Arkansas:
[enter legal description]

2. Said lands are contiguous to and adjoin lands which are included within the city limits of the City of Conway, Arkansas; said lands are adaptable for residential purposes; an accurate map of said lands is attached to this petition; the limits of the territory to be annexed have been accurately described herein; all other requirements of the law for the annexation of said lands into the City of Conway, Arkansas, have been met; and said lands should be annexed unto the City of Conway, Arkansas, and become part thereof.

WHEREFORE, Petitioner prays that this Court enter its order abandoning unto the City of Conway, Arkansas, for annexation, the aforesaid lands.

All petitioners must sign

Name _____

Address _____

City, State, Zip _____

By: _____

NOTICE OF PUBLIC HEARING (required by Faulkner County)

The following information is to be included in the newspaper publications.

All owners of real property within the following described territory in Faulkner County, Arkansas are hereby notified that a petition has been filed with the County Judge of Faulkner County, Arkansas purporting to be signed by

_____. As owner(s) of real estate within said territory, which petition
name of petitioner
states that the territory is contiguous to the City of Conway and prays that the territory to be annexed to the City of Conway:
[insert property legal description]

All owners of real property within said territory are advised that a hearing will be held on said petition by the County Judge, 801 Locust Street, at the hour of _____ on _____, and that at said meeting, said
time date
County Judge will determine whether those signing the same constitute a majority of the real estate owners within said territory and, at said meeting, all owners of real property within said territory who desire will be heard upon the questions.

Margaret Darter
Faulkner County Clerk

This notice must be run in the legal notices section of the Log Cabin Democrat one per week for three consecutive weeks prior to the County public hearing.

The deadline for legal notices is noon, 2 days prior to publication.

The deadline for Sunday and Monday publications is noon Friday.

Legal notices must be submitted in a copy/paste format (Microsoft Word doc., RTF file, etc.)

by email only to legals@thecabin.net.

For further information regarding publication requirements please contact the *Log Cabin Democrat* at 501-327-6621.

2016

CONWAY PLANNING COMMISSION

SCHEDULED MEETING DATES

<u>MONTH</u>	<u>MEETING DATE</u>	<u>SUBMISSION DEADLINE</u>
January	Tuesday, January 19 ¹	Monday, January 4
February	Tuesday, February 16 ²	Friday, January 29
March	Monday, March 14 ³	Friday, February 26
April	Monday, April 18	Friday, April 1
May	Monday, May 16	Thursday, April 28
June	Monday, June 20	Friday, June 3
July	Monday, July 18	Friday, July 1
August	Monday, August 15	Friday, July 29
September	Monday, September 19	Friday, September 2
October	Monday, October 17	Friday, September 30
November	Monday, November 21	Friday, November 4
December	Monday, December 19	Friday, December 2

Conway Planning Commission meetings begin at 7:00 pm in the Russell L. “Jack” Roberts District Court Building located at 810 Parkway Avenue, Conway, Arkansas. The agenda with supporting information for each meeting is available at <http://www.cityofconway.org/pages/planning-minutes-reports/>

¹Meeting moved due to Martin Luther King, Jr. Day Observance

² Meeting moved due to Presidents’ Day Observance

³ Meeting moved due to Spring Break